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TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
MARCH 8, 2010

MEMBERS PRESENT: JAMES DITTBRENNER, ACTING CHAIRMAN  
FRANCIS BEDETTI, JR.  
PAT TORPEY

ALSO PRESENT: ANDREW KRIEGER, ESQ.  
ZONING BOARD ATTORNEY

NICOLE JULIAN  
ZONING BOARD SECRETARY

ABSENT: MICHAEL KANE, CHAIRMAN  
LEN MCDONALD

REGULAR MEETING

MR. DITTBRENNER: I'd like to call to order the Town of  
New Windsor Zoning Board of Appeals meeting for March  
8, 2010.

APPROVAL OF MINUTES DATED JANUARY 25, 2010

MR. DITTBRENNER: I'll accept a motion to approve the  
minutes from the regularly scheduled meeting of January  
25 as previously submitted.

MR. BEDETTI: So moved.

MR. TORPEY: Second it.

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ROLL CALL

MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. DITTBRENNER	AYE

PRELIMINARY\_MEETINGS

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DAVID\_&\_ROBERTA\_SHORT\_(10-06)

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MR. DITTBRENNER: First preliminary meeting this evening is for David and Roberta Short application for single family dwelling with a sunroom that requires variances as it relates to side yard and rear yard setback at 87 Blanche Avenue.

MR. WEBB: I'm speaking on behalf of the Shorts.

MR. DITTBRENNER: Why don't you come up and give your name to the stenographer.

MR. WEBB: Robert Webb W-E-B-B.

MR. DITTBRENNER: As a preliminary just explain to us what you're looking to do.

MR. WEBB: They have an existing house, I believe it was originally built in 1978, an existing structure, there's, it's kind of a porch in the back, you see some pictures, a covered roof. What the Shorts would like to do is the structure's old so what they'd like to do is remove the existing structure, replace it with I'm calling it three seasons sunroom, there's no bathrooms, there's no heat in it, basically just going to replace it but they'd like to make it larger, side yard of about six feet, two feet further towards the rear. So that's really what they'd like to do. Again, it's non-conforming obviously with the town right now so they'd just like to increase the size just a little bit.

MR. DITTBRENNER: In the process of expanding this porch, will they remove any trees or substantial vegetation?

MR. WEBB: No, actually, there's nothing there, they

won't remove anything, the yard's up, they'll probably increase the old grade from what it was.

MR. DITTBRENNER: Not going to affect this tree that I see in the second picture here?

MR. WEBB: No. Actually, what happened is, yeah, actually when you go behind the yard, there's an extreme grade that goes up towards the street. I don't know what's behind Blanche that's actually on that hill, we will not disturb that hill at all.

MR. DITTBRENNER: Will this addition interfere with any easements, right-of-ways, anything related to water, sewer, electrical easements?

MR. WEBB: No, everything's in the front, all the power comes from the front of the house. I have not looked at their existing, I don't believe there's any easements just without looking at it I'm not sure but they have not mentioned any to me at all. It's a subdivision like I said built in '78.

MR. DITTBRENNER: When you come back to the public hearing or if the applicants come back then maybe you want to have a definitive answer.

MR. KRIEGER: They'll want to have a definitive answer, there's no "may" about it.

MR. DITTBRENNER: In the tear down and reconstruction of the proposed porch, will there be a creation of any ponding of water, will you be diverting any water flows, creating any drainage issues?

MR. WEBB: Any of the water obviously cause there's extreme grade that goes from grade on Blanche Avenue up to the back of the property coming unto whatever the street is behind there so any runoff will probably be no different than what it is right now, which would go

down to the public street. If there's any kind of water or pooling as we create or excavate a certain amount of area that will obviously create some kind of detention at that point at that, we'll do with any natural runoff probably just flow towards the street. If there's anything needed in terms of filtering or something like that we can supply that.

MR. DITTBRENNER: Have there been any complaints about the existing structure or have you had any formal or informal complaints regarding the proposed addition?

MR. WEBB: Not as far as I know. It was an existing house like any kind of community or close quarters like that, I know there are problems with some of the neighbors but I think that's more personality than in terms of structures.

MR. DITTBRENNER: Just on I'm skimming around but looking at the actual parcel here on this map, which way does this addition face? Does it face back here to these lots?

MR. WEBB: That's correct, so basically the house faces front on Blanche Avenue that structure faces back, there's grade here.

MR. DITTBRENNER: And would you consider the size and nature of this structure, this addition to be similar with other properties in the neighborhood?

MR. WEBB: Yes. Actually two houses over they did, I don't know when it was built, but there's a similar structure as you look down the street with the, I don't know if they were built with the original houses, I don't know but there are similar structures down the street. Lot of them I don't know if they had them replaced but they have been re-sided and revamped with the house so yes, very much in keeping with the neighborhood, very much so.

MR. DITTBRENNER: Questions from the board?

MR. BEDETTI: This is an existing structure the old structure?

MR. WEBB: That's correct, sir.

MR. BEDETTI: Actually did meet the current code.

MR. WEBB: In 1978 it's actually on the tax maps from '78 so whatever the builder did.

MR. BEDETTI: Was the addition put on the same time the house was built?

MR. WEBB: No, built on with the house which I thought was odd because it's got different siding on it.

MR. BEDETTI: Definitely looks totally different.

MR. WEBB: I went back to 1978, it's drawn right on the tax map.

MR. BEDETTI: Going to be a little wider?

MR. WEBB: As you're looking at the front of the house the right gable end side will be six feet wider and to the rear two feet longer, it's more for aesthetics keeping with the roof lines.

MR. BEDETTI: I rode by, I saw it, the grade in the back is extreme.

MR. WEBB: Very much so and he's built the retention wall back there, we actually bolstered it up a little bit recently.

MR. BEDETTI: That's all.

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MR. DITTBRENNER: Anybody else? I'll accept a motion.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for David and Roberta Short for the building of a new sunroom at 78 Blanche Avenue in an R-4 zone.

MR. TORPEY: Second it.

ROLL CALL

MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. DITTBRENNER	AYE

MR. WEBB: Thank you very much, thank you for your time.

MS. JULIAN: I'll see you tomorrow.

PUBLIC HEARINGS:

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MICHAEL\_OSTRANDER\_(10-05)  
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MR. DITTBRENNER: Tonight's public hearing is an application of Michael Ostrander requesting a 12 x 25 foot rear deck variance required for the rear yard setback. Please state your name for the stenographer.

MR. OSTRANDER: Michael James Ostrander.

MR. DITTBRENNER: You're going to repeat what you're looking to accomplish here.

MR. OSTRANDER: I'm just looking also at an existing structure that was, had a building permit and stipulation for my mortgage I had to renovate this, to either get rid of the violation or get a building permit for it. I had my friend's father who's a carpenter come, he said that the building inspector would say rip it down, the wood is rotten.

MR. DITTBRENNER: Is the deck going to be the same footprint of what was taken down?

MR. OSTRANDER: Almost the same exact, I'm adding, actually, there was on the original deck there's a part where there's a 4 X 4 that went in, I'm going to extend it.

MR. DITTBRENNER: Is this the deck that's coming down?

MR. OSTRANDER: That was the part that's supporting the part of the roof that's on the side, I didn't want to tear that down yet.

MR. BEDETTI: This is going to wrap around the back of the house?

MR. OSTRANDER: Just to the side door so I don't have



to remove that door, the stairs are going to be gone, I want to have a railing there so you have an exit onto the deck.

MR. BEDETTI: Most of this has already been ripped out, the old one's been ripped out?

MR. OSTRANDER: Yes.

MR. BEDETTI: Except for the lattice work on the side?

MR. OSTRANDER: Yes.

MR. DITTBRENNER: Basic questions, with this proposed deck, will you be removing any trees or substantial vegetation?

MR. OSTRANDER: No, sir.

MR. DITTBRENNER: With this proposed deck, will this interfere with any easements, right-of-ways, any water, sewer or electrical easements?

MR. OSTRANDER: No, sir.

MR. DITTBRENNER: Will the building of the deck create any bonding or collection or water, divert water flows, creating any issues with water drainage on the property?

MR. OSTRANDER: No, sir.

MR. DITTBRENNER: Have you had any complaints formally or informally about the existing deck or what you're proposing?

MR. OSTRANDER: No, sir.

MR. DITTBRENNER: Would you consider the deck that you're proposing to build here similar in size and

nature to other houses in the neighborhood?

MR. OSTRANDER: Yes.

MR. BEDETTI: Was that a yes?

MR. OSTRANDER: Yes.

MR. DITTBRENNER: Are there any safety issues that would be caused as a result of this deck not being there? Without the deck are there any safety or hazard issues?

MR. KRIEGER: A person existing the house without the deck would fall?

MR. OSTRANDER: Yes.

MR. DITTBRENNER: Any additional questions?

MR. BEDETTI: No, I recall this from the last time he was here.

MR. TORPEY: No, I'm good.

MR. BEDETTI: Were there envelopes sent out?

MR. DITTBRENNER: Give me a second, we're getting there.

MR. BEDETTI: Okay.

MR. DITTBRENNER: At this time, I would open this up to any public comment. Is there anybody here? Seeing no one in the audience, I will assume not. We'll close the public section and ask how many envelopes were sent out?

MS. JULIAN: On the 24th day of February, 2010, I mailed out 99 addressed envelopes with no written

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response.

MR. DITTBRENNER: Okay, hearing nothing else, I'll accept a motion.

MR. BEDETTI: I'll make a motion that we grant the variance for a proposed rear deck 12 x 25 rear deck requiring an eight foot variance for rear yard setback for Michael Ostrander at 47 Merline Avenue in an R-4 zone.

MR. TORPEY: I'll second that motion.

ROLL CALL

MR. BEDETTI	AYE
MR. TORPEY	AYE
MR. DITTBRENNER	AYE

MR. OSTRANDER: Thank you very much.

MR. DITTBRENNER: I'll accept a motion to adjourn.

MR. BEDETTI: So moved.

MR. TORPEY: Second it.

ROLL CALL

MR. BEDETTI	AYE
MR. TORPEY	AYE

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MR. DITTBRENNER      AYE

Respectfully Submitted By:

Frances Roth  
Stenographer

